STATE OF NEW HAMPSHIRE DEPARTMENT OF ENVIRONMENTAL SERVICES

Raymond St. Laurent d/b/a B&S Septic 211 Dowboro Road Pittsfield, NH 03263

Re: Drywell Installation Hughes/Tashie Property Barnstead, NH ADMINISTRATIVE FINE No. 01-015

MOTION TO WITHDRAW

NOW COMES the Department of Environmental Services, Water Division ("DES"), by and through the DES Legal Unit, and files this Motion to Withdraw the captioned matter, and in support thereof states as follows:

- 1. This matter was originally filed as a proposed administrative fine based on information and belief by Division personnel that improper repair or replacement of a septic system and/or the placement of a dry well violated RSA 485-A and New Hampshire Administrative Rule Env-Ws 1003.
- 2. Division staff received or obtained subsequent information indicating that such violations did not occur or were resolved during inspections made after the captioned action was filed. Division personnel have requested that this matter be withdrawn.
- 3. I certify that a copy of this Motion to Withdraw was sent this 23rd day of March 2005, to Raymond St. Laurent at 211 Dowboro Road, Pittsfield, NH 03263. No objection is anticipated.

WHEREFORE, the Division respectfully requests that the Presiding Officer:

A. Order the captioned Action be marked "Withdrawn"; and

B. Grant such further relief as fair and equitable.

Kerry D. Barnsley, DES Compliance Attorney P.O. Box 95, Concord, NH 03301 (603) 271-7509

Motion Granted Motion Denied

Michael J. Walls, Presiding Officer